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No. 0154272752827US

MEMC 000051/2651.5  
PATENT

AUG 25 2003 IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of John D. Holder  
Serial No. 10/036,875  
Filed October 23, 2001  
Confirmation No. 5192  
For PROCESS FOR PRODUCING A SILICON MELT  
Examiner Robert M. Kunemund

Art Unit 1765

RECEIVED

Aug 29 2003

TC 1700

August 25, 2003

**RESPONSE TO OFFICE ACTION**

TO THE COMMISSIONER FOR PATENTS,

SIR/MADAM:

This letter is in response to the Office Action dated June 4, 2003.

**A. Status of Claims**

Claims 1-30 are pending in this application. Claims 1-30 have been rejected under the judicially-created doctrine of obviousness-type double patenting, as being unpatentable over claims 1-12 of U.S. Patent No. 6,344,083, and provisionally rejected over claims 50-72 of co-pending Application Serial No. 09/943,600.

**B. Obviousness-type Double Patenting Rejection**

\* Applicant has enclosed herewith a Terminal Disclaimer in accordance with 37 CFR 1.130(b) and 37 CFR 1.321(c) to obviate the rejection. Accordingly, Applicant respectfully requests the obviousness-type double patenting rejections be withdrawn.

**Conclusion**

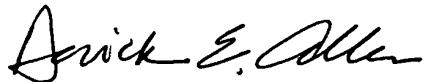
Applicant respectfully submits that claims 1-30, which are now pending in this application, satisfy the requirements for patentability. Favorable reconsideration and allowance of these claims are therefore respectfully requested.

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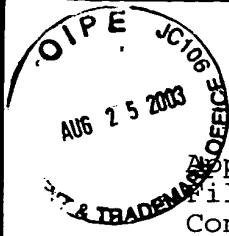
\* Enclosed is a check in the amount of \$110.00 in payment of the fee for the submission of a Statutory Disclaimer. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

Respectfully submitted,



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08-26-03

FEE TRANSMITTAL

41

1765

Application Number 10/036,875  
Filing Date October 23, 2001  
Confirmation No. 5192  
Inventor(s) John D. Holder  
Group Art Unit 1765  
Examiner Name Robert M. Kunemund  
Attorney Docket Number MEMC 000051/2651.5

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\$

**METHOD OF PAYMENT**

1.  The Commissioner is hereby authorized to charge the indicated fees to Deposit Account No. 19-1345.
  - The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17 to Deposit Account No. 19-1345.
  - Applicant claims small entity status.
2.  Check Enclosed. The Commissioner is hereby authorized to charge any under payment or credit any over payment to Deposit Account No. 19-1345.

**FEE CALCULATION**

1.  BASIC FILING FEE Subtotal (1) \$ \_\_\_\_\_  
(Type: \_\_\_\_\_)
2.  EXTRA CLAIM FEES Subtotal (2) \$ \_\_\_\_\_  
Total Claims \_\_\_\_\_  
Independent Claims \_\_\_\_\_  
Multiple Dependent Claims \_\_\_\_\_
3.  ADDITIONAL FEES Subtotal (3) \$ 110.00
  - Surcharge - late filing fee or oath
  - Surcharge - late provisional filing fee or cover sheet
  - Extension for reply within \_\_\_\_\_ month
  - Notice of Appeal
  - Filing a Brief in Support of an appeal
  - Request for ex parte Reexamination
  - Petitions to the Commissioner (Terminal Disclaimer)
  - Submission of Information Disclosure Statement
  - Recording each patent assignment per property
  - Request for Continued Examination
  - Other: \_\_\_\_\_

**TOTAL AMOUNT OF PAYMENT** \$ 110.00

*Derick E. Allen*

Derick E. Allen, Reg. No. 43,468

8-25-03

Date

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